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ABSTRACT

This document comprises a bill introduced in the U.S. Senate to provide Federal aid to urban schools determined to be most in need of financial assistance. The proposed legislation, which, if enacted is to be called the "Urban Schools of America (USA) Act of 1991," also allocates funds for research in urban education. The purpose of the Act is to accomplish the following: (1) assist urban schools in meeting national education goals; (2) improve the educational and social well-being of urban public school children; (3) close the achievement gap between urban and non-urban school children, while improving the achievement level of all children nationally; (4) renovate and repair urban school buildings and facilities; (5) conduct coordinated research on urban education problems, solutions, and promising practices; (6) improve the nation's global economic and educational competitiveness by improving its urban schools; (7) encourage community, parent, and business collaboration in the improvement of urban schools; and (8) review regulations the simplification of which might improve the achievement of urban school children. The bill includes 18 findings by Congress and is divided into the following major sections: Title I, "Urban School Improvement"; Title II, "School Building Repair and Renovation"; Title III, "Urban School Research"; and Title IV, "General Provisions." (AF)

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102D CONGRESS
1ST SESSION

S. 720

To provide financial assistance to eligible local educational agencies to improve
urban education, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 21 (legislative day, FEBRUARY 6), 1991

Mr. KENNEDY (for himself, Mr. METZENBAUM, Mr. PELL, Mr. SIMON, Mr.
DODD, Mr. WELLSTONE, Mr. AKAKA, Mr. KOHL, Mr. CRANSTON, Mr.
WIRTH, and Mr. RIEGLE) introduced the following bill; which was read
twice and referred to the Committee on Labor and Human Resources

A BILL

To provide financial assistance to eligible local educational
agencies to improve urban education, and for other purposes.

*Be it enacted by the Senate and House of Rep-
resentatives of the United States of America in Congress
assembled,*

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the
“Urban Schools of America (USA) Act of 1991”.

(b) TABLE OF CONTENTS.—The table of contents is
as follows:

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1 SEC. 2. FINDINGS.

2 The Congress finds that—

3 (1) the ability of the Nation's major urban
4 school systems to meet the Nation's educational
5 goals will determine the country's economic competi-
6 tiveness and academic standing in the world
7 community;

1 (2) the quality of public education in the Na-
2 tion's major urban areas has a direct effect on the
3 economic development of the Nation's inner cities;

4 (3) the success of urban schools in boosting the
5 achievement of its minority youth attending such
6 schools will determine the ability of the Nation to
7 close the gap between the "haves and have-nots" in
8 society;

9 (4) the cost to America's businesses to provide
10 training to America's employees is approximately
11 \$30,000,000,000 per year;

12 (5) approximately one-third of the Nation's
13 work force will be minority by the year 2000;

14 (6) urban schools enroll a disproportionately
15 large share of the Nation's poor and "at-risk"
16 youth;

17 (7) urban schools enroll approximately one-third
18 of Naticns's poor, 40 percent of the Nation's Afri-
19 can-American children, and 30 percent of the Na-
20 tion's Hispanic youth;

21 (8) nearly 20 percent of the Nation's limited-
22 English proficient children and 15 percent of the
23 Nation's disabled youth are enrolled in urban
24 schools;

1 (9) the academic performance of students in the
2 average inner-city public school system is below that
3 of students in most other kinds of school systems;

4 (10) urban school systems have higher dropout
5 rates, more problems with health care and less pa-
6 rental participation than other kinds of school sys-
7 tems;

8 (11) urban preschoolers have one-half the ac-
9 cess to early childhood development programs as do
10 other children;

11 (12) shortages of teachers in urban school sys-
12 tems are 2.5 times greater than such shortages in
13 other kinds of school systems;

14 (13) declining numbers of urban minority high
15 school graduates are pursuing postsecondary edu-
16 cational opportunities;

17 (14) urban school systems have greater prob-
18 lems with teen pregnancy, discipline, drug abuse and
19 gangs than do other kinds of school systems;

20 (15) 75 percent of urban school buildings are
21 over 25 years old, 33 percent of such buildings are
22 over 50 years old, and such buildings are often in
23 serious disrepair and create poor and demoralizing
24 working and learning conditions;

1 (16) solving the challenges facing our Nation's
2 urban schools will require the concerted and collabora-
3 tive efforts of all levels of government and all sec-
4 tors of the community;

5 (17) State and Federal funding of urban
6 schools has not adequately reflected need; and

7 (18) Federal funding that is well targeted, flexi-
8 ble and accountable would contribute significantly to
9 addressing the comprehensive needs of inner-city
10 schools.

11 **SEC. 3. STATEMENT OF PURPOSE.**

12 It is the purpose of this Act to provide financial as-
13 sistance for those urban schools most in need to—

14 (1) assist urban schools in meeting national
15 education goals;

16 (2) improve the educational and social well
17 being of urban public school children;

18 (3) close the achievement gap between urban
19 and nonurban school children, while improving the
20 achievement level of all children nationally;

21 (4) renovate and repair urban school buildings
22 and facilities;

23 (5) conduct coordinated research on urban edu-
24 cation problems, solutions and promising practices;

1 (6) improve the Nation's global economic and
2 educational competitiveness by improving the coun-
3 try's urban schools;

4 (7) encourage community, parental and busi-
5 ness collaboration in the improvement of urban
6 schools; and

7 (8) review regulations whose simplification
8 might improve the achievement of urban school chil-
9 dren.

10 **TITLE I—URBAN SCHOOL** 11 **IMPROVEMENT**

12 **SEC. 101. AUTHORIZATION.**

13 There are authorized to be appropriated such sums
14 as may be necessary for each of the fiscal years 1992,
15 1993, 1994, 1995, 1996, and 1997 to carry out the provi-
16 sions of this title.

17 **SEC. 102. ALLOCATION OF FUNDS.**

18 (a) RESERVATIONS.—From the amount appropriated
19 or otherwise made available to carry out the provisions of
20 this title for any fiscal year after the first fiscal year in
21 which the Secretary awards allotments to eligible local
22 educational agencies under this title, the Secretary shall
23 reserve 5 percent of such funds to provide competitive
24 awards in accordance with section 107.

1 (b) ALLOTMENTS.—From the remainder of the sums
 2 not reserved under subsection (a), the Secretary shall allot
 3 to each eligible local educational agency with an approved
 4 application in each fiscal year an amount which bears the
 5 same relationship to such funds as the amount such eligi-
 6 ble local educational agency was allocated under sections
 7 1005 and 1006 of the Elementary and Secondary Edu-
 8 cation Act of 1965 in the preceding fiscal year bears to
 9 the total amount received under such sections in such pre-
 10 ceding fiscal year by all eligible local educational agencies.

11 (c) RESERVATION FOR COMMUNITY-BASED ORGANI-
 12 ZATIONS AND NONPROFIT PARTNERSHIPS.—

13 (1) IN GENERAL.—From the amounts allotted
 14 under subsection (b) of this section for any fiscal
 15 year, each eligible local educational agency shall re-
 16 serve not more than 5 percent to make as many
 17 grants as practicable for the activities described in
 18 section 105 to—

- 19 (A) community-based organizations; or
- 20 (B) nonprofit partnerships between the eli-
 21 gible local educational agency and a city-wide
 22 collaborative of private sector businesses.

23 (2) SPECIAL RULE.—Grants awarded pursuant
 24 to paragraph (1) shall be of sufficient size, scope
 25 and quality to be effective.

1 (d) PAYMENTS.—

2 (1) IN GENERAL.—The Secretary shall annually
3 pay to each eligible local educational agency having
4 an application approved under section 103 the costs
5 of the activities described in the application.

6 (2) PAYMENT REQUIREMENTS.—The Secretary
7 shall only make annual payments to eligible local
8 educational agencies which—

9 (A) comply with the provisions of section
10 106(c); and

11 (B) demonstrate to the satisfaction of the
12 Secretary that the data submitted pursuant to
13 section 106(c) shows progress toward meeting
14 national education goals.

15 (e) ADMINISTRATIVE COSTS.—Not more than 5 per-
16 cent of any allotment or grant made under this title may
17 be used for administrative costs.

18 SEC. 103. APPLICATION REQUIRED.

19 (a) APPLICATION REQUIRED.—

20 (1) LOCAL EDUCATIONAL AGENCIES.—

21 (A) IN GENERAL.—Any eligible local edu-
22 cational agency desiring to receive an allotment
23 from the Secretary to carry out the provisions
24 of this title shall—

1 (i) develop and prepare an application
 2 with the local advisory group in accordance
 3 with section 109 of this Act;

4 (ii) submit to the State educational
 5 agency the application for review and com-
 6 ment; and

7 (iii) submit the application described
 8 in clause (i) to the Secretary for approval.

9 (B) DURATION.—Except as provided in
 10 section 106, the application described in clause
 11 (i) may be for a period of not more than 3
 12 years.

13 (2) COMMUNITY-BASED ORGANIZATIONS AND
 14 NONPROFIT PARTNERSHIPS.—Any community-based
 15 organization or nonprofit partnership described in
 16 section 102(c) desiring to receive a grant from an el-
 17 igible local educational agency pursuant to section
 18 101(c) shall—

19 (A) prepare an application for approval by
 20 the local advisory group described in section
 21 109 and submit such application to the eligible
 22 local educational agency;

23 (B) describe in the application the collabo-
 24 rative efforts undertaken with the local edu-

1 cational agency in designing a program to meet
2 the purposes of the Act; and

3 (C) describe in the application how funds
4 will be used to help meet the education goals se-
5 lected by the local educational agency pursuant
6 to subsection (b) of this section.

7 (b) CONTENTS OF LOCAL EDUCATIONAL AGENCY
8 APPLICATION.—Each application submitted by an eligible
9 local educational agency pursuant to paragraph (1) of sub-
10 section (a) shall include a description of—

11 (1) the ranking of all schools in the eligible
12 local educational agency by achievement, poverty,
13 and racial isolation and how such schools will be
14 served in accordance with section 110(a);

15 (2) the community served by the eligible local
16 educational agency and the effects of the community
17 on the educational conditions within the schools
18 served by the eligible local educational agency;

19 (3) the collaboration in program planning with
20 the local advisory group described in section 109;

21 (4) the goals selected by the eligible local edu-
22 cational agency pursuant to section 106(b), the ra-
23 tionale for choosing such goals over others, and a
24 description of whether the goals selected differ be-

1 tween elementary and secondary schools in the dis-
2 trict;

3 (5) how funds received under this title will be
4 used to meet the national educational goals selected
5 by the eligible local educational agency;

6 (6) how promising or successful models or pro-
7 grams will be replicated in designing activities as-
8 sisted under this title; and

9 (7) the statistical indicators and other criteria
10 that the eligible local educational agency will use to
11 measure progress toward meeting national education
12 goals, and a description of what the local educational
13 agency has done to ensure that any assessments
14 used to measure such progress will not have a nega-
15 tive effect on minority or language minority stu-
16 dents.

17 **SEC. 104. PLANNING PERIOD.**

18 Any eligible local educational agency requiring addi-
19 tional planning efforts to meet the provisions of this title
20 may use the first 6 months of the initial program year
21 for planning purposes, subject to approval by the Sec-
22 retary, except that no more than 15 percent of the first
23 year's allotment shall be used for such purposes. A written
24 report of the results of the plan shall be submitted to the
25 Secretary.

1 SEC. 105. USES OF FUNDS.

2 (a) IN GENERAL.—Funds allotted under this title
3 shall be used by eligible local educational agencies, or com-
4 munity-based organizations or nonprofit partnerships de-
5 scribed in section 103(b) to meet national education goals
6 through programs designed to—

7 (1) increase the academic achievement of
8 urban school children to at least the national aver-
9 age, including—

10 (A) effective schools programs;

11 (B) tutoring, mentoring, and other activi-
12 ties to improve academic achievement directly;

13 (C) activities designed to increase the par-
14 ticipation of minority and female students in
15 entry level and advanced courses in mathe-
16 matics and science;

17 (D) supplementary academic instruction;

18 (E) efforts to improve problem-solving and
19 higher-order thinking skills;

20 (F) programs to increase student motiva-
21 tion for learning; and

22 (G) efforts to lengthen the school day,
23 school year or reduce class sizes;

24 (2) ensure the readiness of all urban children
25 for school, including—

1 (A) full workday, full calendar-year com-
2 prehensive early childhood development pro-
3 grams;

4 (B) parenting classes and parent involve-
5 ment activities;

6 (C) activities designed to coordinate pre-
7 kindergarten and child care programs;

8 (D) efforts to integrate developmentally
9 appropriate prekindergarten services into the
10 overall school program;

11 (E) upgrading the qualifications of early
12 childhood education staff and standards for
13 programs;

14 (F) collaborative efforts with health and
15 social service agencies to provide comprehensive
16 services and to facilitate the transition from
17 home to school;

18 (G) establishment of comprehensive child
19 care centers in high schools for student-parents
20 and their children; and

21 (H) augmenting early childhood develop-
22 ment programs to meet the special educational
23 and cultural needs of limited-English proficient
24 preschool children;

1 (3) increase the graduation rates of urban stu-
2 dents to at least the national average, including—

3 (A) dropout prevention activities and sup-
4 port services for students at-risk of dropping
5 out of school;

6 (B) re-entry, outreach and support activi-
7 ties to recruit students who have dropped out of
8 school to return to school;

9 (C) development of systemwide policies and
10 practices that encourage students to stay in
11 school;

12 (D) efforts to provide individualized stu-
13 dent support, such as mentoring programs;

14 (E) collaborative activities between schools,
15 parents, community groups, agencies and insti-
16 tutions of higher education aimed at preventing
17 individuals from dropping out of school;

18 (F) programs to increase student attend-
19 ance; and

20 (G) alternative programs for students, es-
21 pecially bilingual and special education stu-
22 dents, who have dropped out of school or are
23 at-risk of dropping out of school.

1 (4) prepare urban school graduates to enter
2 higher education, pursue careers and exercise their
3 responsibilities as citizens, including—

4 (A) activities designed to increase the
5 number and percentages of students, particu-
6 larly minority students, enrolling in postsecond-
7 ary educational institutions after graduation
8 from secondary schools;

9 (B) in-school youth employment, vocational
10 education, and career education programs that
11 improve the transition from school to work;

12 (C) activities designed in collaboration with
13 colleges and universities to assist urban school
14 graduates in completing higher education;

15 (D) efforts to increase voter registration
16 among eligible high school students;

17 (E) activities designed to promote commu-
18 nity service and volunteerism among students,
19 parents, teachers, and the community; and

20 (F) civic education and other programs de-
21 signed to enhance responsible citizenship and
22 understanding of the political process;

23 (5) recruit and retain qualified teachers,
24 including—

1 (A) school-based management projects and
2 activities;

3 (B) programs designed to test efforts to
4 increase the professionalism of teachers or to
5 bring teachers up to national voluntary stand-
6 ards;

7 (C) alternative routes to certification for
8 qualified individuals from business, the military
9 and other fields;

10 (D) efforts to recruit and retain teachers
11 in critical shortage areas, including early child-
12 hood teachers, mathematics and science teach-
13 ers, and special education and bilingual teach-
14 ers;

15 (E) upgrading the skills of teacher aides
16 and paraprofessionals to assist such individuals
17 in becoming certified teachers;

18 (F) efforts specifically designed to increase
19 the number of minority teachers in urban
20 schools;

21 (G) programs designed to “grow your
22 own” teachers;

23 (H) incentives for teachers to work in
24 inner-city schools; and

1 (I) collaborative activities with urban uni-
2 versities to revise and upgrade teacher training
3 programs; and

4 (6) decrease the use of drugs and alcohol
5 among urban students, and to enhance the physical
6 and emotional health of such students, including—

7 (A) activities designed to improve the self-
8 esteem and selfworth of urban students;

9 (B) the provision of health care services
10 and other social services and the coordination of
11 such services with other health care providers;

12 (C) programs designed to improve safety
13 and discipline and reduce in-school violence,
14 vandalism and gang activity;

15 (D) activities that begin in the early
16 grades and are designed to prevent drug and al-
17 cohol abuse and smoking among students and
18 teachers;

19 (E) collaborative activities with other agen-
20 cies, businesses, and community groups to dis-
21 courage the advertisement and glorification of
22 drugs and alcohol;

23 (F) efforts to enhance health education
24 and nutrition education; and

1 (G) alternative schools, and schools-within-
2 schools programs, including bilingual and spe-
3 cial education programs for students with spe-
4 cial needs.

5 (b) SPECIAL RULE.—Funds allotted under this title
6 may be used for the planning, development, operation, or
7 expansion of programs and activities which are designed
8 to assist urban schools in meeting national education
9 goals, and may include—

10 (1) training of teachers and other educational
11 personnel in subject areas, or instructional tech-
12 nology and methods that would improve the delivery
13 of services in urban settings in any of the national
14 education goal areas, including staff development ef-
15 forts which emphasize multicultural and gender and
16 disability bias-free curricula;

17 (2) coordination and collaboration with other
18 municipal agencies, child care organizations, univer-
19 sities or the private sector;

20 (3) parental involvement and outreach efforts
21 and other activities designed to enhance parental en-
22 couragement of student learning;

23 (4) guidance counseling, psychological, social
24 work, and other support services that contribute to
25 progress in achieving national education goals;

1 (5) efforts to acquire and improve access to
2 educational technology;

3 (6) programs to serve homeless children, deseg-
4 regating children, immigrants, migrants, or other
5 highly mobile populations, even if such individuals
6 do not attend a school assisted under this title; and

7 (7) efforts to improve and strengthen the cur-
8 riculum and coordinate services across grade levels.

9 (c) **PRIORITY.**—Each local educational agency sub-
10 mitting an application under this section shall give priority
11 in designing the program assisted under this title to activi-
12 ties that replicate successful efforts in other local edu-
13 cational agencies or expand successful programs within
14 the eligible local educational agency.

15 **SFC. 106. ACCOUNTABILITY.**

16 (a) **IN GENERAL.**—The Secretary may award an al-
17 lotment under this title to an eligible local educational
18 agency to enable such an agency to operate a program
19 under this title for a period of not more than 3 years.
20 If an eligible local educational agency receiving an allot-
21 ment under this title meets the accountability require-
22 ments described in subsection (b) at the end of 3 years
23 and the requirements described in subsection (c) at the
24 end of each year, as determined by the Secretary, such
25 agency shall be eligible to continue the project with funds

1 under this title for an additional 3 years if such agency
2 so desires.

3 (b) REQUIREMENTS TO MOVE TOWARD NATIONAL
4 EDUCATION GOALS.—

5 (1) PROGRAM CONTINUATION.—If, after 3
6 years, an eligible local educational agency receiving
7 an allotment under this title is able to demonstrate
8 to the satisfaction of the Secretary that it has in-
9 creased the achievement level of the lowest 2 quar-
10 tiles of students in schools assisted under this title
11 as measured by the statistical indicators and other
12 criteria specified in the application in excess of the
13 average such achievement of such agency in the 3
14 years prior to the initiation of the project, then such
15 agency shall be eligible to continue the project with
16 funds under this title for an additional 3 years upon
17 reapplication under section 103.

18 (2) SPECIAL RULE.—If, after 3 years, an eligi-
19 ble local educational agency receiving an allotment
20 under this title is able to demonstrate progress on
21 meeting at least 3 other national education goals as
22 measured by the criteria described in paragraph (3),
23 then such agency shall be deemed to have met the
24 requirements of paragraph (1) so long as the
25 achievement level of the schools assisted under this

1 title did not decline in any of the 3 previous school
2 years.

3 (3) CRITERIA.—For purposes of paragraph (2),
4 the criteria are:

5 (A) The number or percentage of preschool
6 children served by the eligible local educational
7 agency is greater than the average such number
8 or percentage in the 3 previous school years.

9 (B) The secondary school graduation rate
10 in the eligible local educational agency is great-
11 er than the average such rate for the 3 previous
12 school years.

13 (C) The percentage of secondary school
14 graduates in the eligible local educational agen-
15 cy enrolled in postsecondary education is great-
16 er than such percentage for the 3 previous
17 school years.

18 (D) The percentage of the teaching force
19 in the eligible local educational agency who are
20 minorities is greater than the average such per-
21 centage for the 3 previous school years.

22 (E) The incidence of discipline, drug-relat-
23 ed or in-school crime in the eligible local edu-
24 cational agency is less than the average such in-
25 cidence in the 3 previous school years.

1 (c) **COLLECTION OF DATA.**—Each eligible local edu-
 2 cational agency, community-based organization, or non-
 3 profit partnership described in section 102(c)(2) receiving
 4 an allotment under this title shall annually collect and sub-
 5 mit to the Secretary data based on the statistical indica-
 6 tors and other criteria described in the application submit-
 7 ted by such eligible local educational agency for the pur-
 8 poses of monitoring progress in achieving national edu-
 9 cation goals. Such data shall include multiple measures
 10 or indicators of each variable, and may take into consider-
 11 ation the mobility of students in the schools served under
 12 this title.

13 **SEC. 107. INCENTIVE AWARDS TO EXEMPLARY PROGRAMS.**

14 From amounts reserved pursuant to section 102(a)
 15 or otherwise made available, the Secretary is authorized
 16 to make competitive awards to individual schools partici-
 17 pating in a program assisted under this title which dem-
 18 onstrate to the satisfaction of the Secretary at least 3 of
 19 the following:

20 (1) Unusual or exemplary progress in achieving
 21 the national education goals through programs de-
 22 scribed in section 105.

23 (2) Exemplary or unusually effective collabo-
 24 rative arrangements between the schools, commu-

1 nity-based organizations, agencies, parent groups,
2 colleges and businesses.

3 (3) Identification, review and removal of poten-
4 tial barriers to student performance in the national
5 education goal areas, such as suspensions and expul-
6 sions, in-grade retentions, ability grouping, and lack
7 of access to course offerings in pre-algebra and in-
8 troductory algebra.

9 (4) Substantial expansion of the hours schools
10 assisted under this title remain open for community
11 use or student after-school recreation.

12 **SEC. 108. REGULATORY ASSESSMENT.**

13 (a) **REPORT ON URBAN PUBLIC SCHOOLS.**—In order
14 to assist eligible local educational agencies under this Act
15 in improving the performance of urban school children, the
16 Secretary shall, not later than January 1, 1993, prepare
17 a report on the impact of Federal regulations, guidelines
18 and policies on urban public schools.

19 (b) **CONTENTS OF REPORT.**—The report shall ana-
20 lyze the impact of Federal legal, regulatory, policy and or-
21 ganizational requirements on the time and resources that
22 eligible local educational agencies assisted under this Act
23 have for educating students, including fiscal resources,
24 staff time, facilities, instructional equipment, and services.
25 The report shall make recommendations on how best to

1 simplify Federal regulations, guidelines and policies so
 2 that more resources can be devoted to improving urban
 3 school performance. The report shall also identify the reg-
 4 ulations whose waiver might be used as incentives or re-
 5 wards for unusual progress toward meeting national edu-
 6 cation goals.

7 (c) SPECIFIC ISSUES FOR ANALYSIS.—In preparing
 8 the report required by subsection (a), the Secretary shall
 9 analyze—

10 (1) the effect of regulatory requirements on
 11 local program flexibility and management within eli-
 12 gible local educational agencies;

13 (2) the effect of regulatory requirements on the
 14 size, cost and composition of administrative practices
 15 within eligible local educational agencies;

16 (3) the extent to which regulatory requirements
 17 are duplicative or contradictory;

18 (4) the amount of time and resources that
 19 school administrators and teachers must spend re-
 20 sponding to data requests and reporting require-
 21 ments pursuant to Federal law;

22 (5) the extent to which regulatory requirements
 23 are related to instructional rather than
 24 noninstructional practices in eligible local edu-
 25 cational agencies;

1 (6) the relationship between specific regulatory
2 requirements and the educational performance of
3 urban students; and

4 (7) how the waiver or simplification of regu-
5 latory requirements could enhance the performance
6 of urban school children and the progress of urban
7 schools in meeting national education goals.

8 (d) **SAMPLE DATA.**—The Secretary may, in develop-
9 ing the report described in subsection (a), use appropriate
10 sampling techniques.

11 (e) **CONSULTATION WITH CONGRESS.**—The Sec-
12 retary shall consult with the Committee on Education and
13 Labor of the House of Representatives and the Committee
14 on Labor and Human Resources of the Senate concerning
15 the design of the report described in this section.

16 **SEC. 109. LOCAL ADVISORY GROUP.**

17 (a) **ESTABLISHMENT.**—Any local educational agency
18 desiring to receive an allotment under this Act shall form
19 a local advisory group.

20 (b) **COMPOSITION.**—

21 (1) **IN GENERAL.**—Each local advisory group
22 described in subsection (a) shall be composed of rep-
23 resentatives of groups such as—

24 (A) local government agencies;

25 (B) community-based organizations;

- 1 (C) service providers;
- 2 (D) teachers;
- 3 (E) parents;
- 4 (F) colleges and universities;
- 5 (G) businesses;
- 6 (H) principals and other school adminis-
- 7 trators;
- 8 (I) counselors, school psychologists and so-
- 9 cial workers;
- 10 (J) students;
- 11 (K) State educational agencies and State
- 12 boards of education;
- 13 (L) labor;
- 14 (M) Offices of the mayor;
- 15 (N) religious leaders; and
- 16 (O) organizations with an interest in im-
- 17 proving urban education and expertise in the
- 18 delivery of services needed by the schools se-
- 19 lected to participate in a program assisted
- 20 under this Act.
- 21 (2) APPOINTMENT.—The superintendent of
- 22 schools and the president of the board of education
- 23 of the eligible local educational agency applying for
- 24 funds under this title shall appoint the members of
- 25 the local advisory group. The local advisory group

1 may contain as many members as is necessary to en-
2 sure a comprehensive community-wide program to
3 improve urban education.

4 (3) REPRESENTATION.—The local advisory
5 group shall be representative of the community and
6 shall be balanced according to the race, ethnicity,
7 native language background, and gender of its mem-
8 bers, to the extent practicable.

9 (c) FUNCTIONS.—The local advisory group shall—

10 (1) advise the eligible local educational agency
11 on the design and conduct of a needs assessment for
12 all schools expected to participate in the program as-
13 sisted under this title;

14 (2) assist in planning for community-wide col-
15 laboration in service delivery for students in schools
16 expected to be served by the program assisted under
17 this title;

18 (3) advise the eligible local educational agency
19 and the community on how they can work together
20 to use multiple service providers;

21 (4) advise and assist the eligible local edu-
22 cational agency on the implementation of the pro-
23 gram assisted under this title and review evaluations
24 of such program's success;

1 (5) review and approve applications submitted
2 to the eligible local educational agency by commu-
3 nity-based organizations pursuant to section 103(b);

4 (6) advise the eligible local educational agency
5 on strategies for increasing parent involvement and
6 the number of school volunteers and role models in
7 schools; and

8 (7) review the success of community-based pro-
9 grams assisted under this title for progress on the
10 national education goals.

11 (d) **USE OF EXISTING LOCAL ADVISORY GROUP.**—
12 To the extent that an eligible local educational agency has
13 established a broadly representative local advisory group
14 before enactment of this Act that is comparable to the
15 local advisory group described in this section, such existing
16 local advisory group shall be considered to be in compli-
17 ance with the provisions of this section.

18 **SEC. 110. SPECIAL RULES.**

19 (a) **RANKING OF SCHOOLS TO DETERMINE REL-**
20 **ATIVE NEED.**—

21 (1) **IN GENERAL.**—Each eligible local edu-
22 cational agency desiring to receive an allotment
23 under this title shall, in order to determine which
24 schools are most in need of services under this title,

1 separately rank all schools under the jurisdiction of
2 such agency on the basis of—

3 (A) achievement;

4 (B) poverty; and

5 (C) racial isolation.

6 (2) PERCENTAGE OF SCHOOLS TO BE
7 SERVED.—Each eligible local educational agency
8 that receives an allotment under this title shall serve
9 at least 10 percent, but not more than 20 percent,
10 of the schools under the jurisdiction of such agency.

11 (3) CRITERIA FOR SCHOOLS TO BE SERVED.—
12 Subject to the provisions of paragraph (2) of this
13 section, each eligible local educational agency that
14 receives an allotment under this title—

15 (A) shall serve any school that is deter-
16 mined to be most in need with respect to all 3
17 rankings described in paragraph (1);

18 (B) may serve any school that is deter-
19 mined to be most in need with respect to any
20 1 or more of such rankings; and

21 (C) may serve any school that received as-
22 sistance under this title in a previous fiscal
23 year.

24 (b) FLEXIBILITY.—Each eligible local educational
25 agency shall have the flexibility to serve homeless children,

1 desegregating students, immigrants, migrants or other
2 highly mobile populations within the program assisted
3 under this title.

4 (c) CHAPTER 1 SCHOOL IMPROVEMENT PLAN.—The
5 approved program for any school served under sections
6 1020 and 1021 of the Elementary and Secondary Edu-
7 cation Act of 1965, may be considered sufficient to meet
8 the requirements of the provisions of section 106(b)(1) of
9 this Act.

10 **TITLE II—SCHOOL BUILDING** 11 **REPAIR AND RENOVATION**

12 **SEC. 201. PURPOSE; AUTHORIZATION OF APPROPRIATIONS.**

13 (a) PURPOSE.—It is the purpose of this title to pro-
14 vide assistance to eligible local educational agencies to as-
15 sist such agencies in repairing, and renovating, instruc-
16 tional facilities in city schools.

17 (b) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated such sums as may be
19 necessary for each of the fiscal years 1992, 1993, 1994,
20 1995, 1996, and 1997 to carry out the provisions of this
21 title.

22 **SEC. 202. ALLOCATION OF FUNDS.**

23 (a) RESERVATION.—From the amount appropriated
24 or otherwise made available to carry out the provisions of
25 this title for any fiscal year, the Secretary shall reserve

1 1 percent of such amount to monitor activities assisted
2 under this title.

3 (b) ALLOTMENTS.—From the remainder of sums not
4 reserved under subsection (a), the Secretary shall allot to
5 eligible local educational agencies with an approved
6 application—

7 (1) 33 percent of such funds on the basis of the
8 number of children in the eligible local educational
9 agency between the ages of 5 and 17 who are mem-
10 bers of families whose income does not exceed the
11 income official poverty line (as defined by the Office
12 of Management and Budget), according to the most
13 recent decennial census, divided by the number of all
14 such children in all eligible local educational agen-
15 cies;

16 (2) 33 percent of such funds on the basis of the
17 number of school buildings used for instructional
18 purposes in the eligible local educational agency, di-
19 vided by the number of all such buildings in all eligi-
20 ble local educational agencies; and

21 (3) 33 percent of such funds on the basis of the
22 number of school buildings in the eligible local edu-
23 cational agency which are used for instructional pur-
24 poses and which are more than 25 years old, divided

1 by the number of all such buildings in all eligible
2 local educational agencies.

3 **SEC. 203. APPLICATION.**

4 (a) APPLICATION.—

5 (1) IN GENERAL.—Any eligible local educational
6 agency desiring to receive an allotment to carry out
7 the provisions of this title shall submit to the Sec-
8 retary an application at such time, in such manner
9 and accompanied by such information as the Sec-
10 retary may reasonably require.

11 (2) DURATION.—Each application submitted
12 pursuant to paragraph (1) shall be for a period of
13 not more than 3 years.

14 (3) ANNUAL REVIEW.—Each application sub-
15 mitted pursuant to paragraph (1) shall be subject to
16 annual review.

17 (b) CONTENTS.—Each application submitted pursu-
18 ant to subsection (a) shall contain—

19 (1) an assessment of needs for building repair,
20 renovation and construction;

21 (2) the name and location of all sites scheduled
22 for repair, renovation or construction and a descrip-
23 tion of the activities planned at each site; and

24 (3) a description of accounting procedures used
25 to assure proper disbursement of Federal funds.

1 **SEC. 204. REPAIR AND RENOVATION.**

2 Each eligible local educational agency receiving an al-
3 lotment under section 202(b) shall use 50 percent of such
4 allotment to conduct programs for—

5 (1) repair and renovation of school buildings
6 used for instruction;

7 (2) installation or upgrading of school security
8 and communications systems;

9 (3) construction of new buildings that will serve
10 to replace old facilities that are most cost effectively
11 torn down rather than renovated;

12 (4) alterations to buildings to meet special pro-
13 gram, curricula, or school-site management needs;

14 (5) alterations to buildings to meet certain spe-
15 cial population needs, such as the needs of homeless
16 children and preschool children;

17 (6) alterations to school buildings to enable
18 such buildings to serve as one-stop family support
19 centers;

20 (7) facilities' costs associated with lengthening
21 the school day or school year; and

22 (8) upgrading of and alterations to buildings to
23 accommodate new instructional technology.

1 **SEC. 205. ENVIRONMENT AND SAFETY.**

2 Each eligible local educational agency receiving an al-
3 lotment under section 202(b) shall use 50 percent of such
4 allotment to conduct programs for—

5 (1) energy conservation;

6 (2) removal or containment of environmentally
7 hazardous material, such as asbestos, lead and
8 radon;

9 (3) meeting the requirements of section 504 of
10 the Rehabilitation Act of 1973; and

11 (4) meeting local, State or Federal laws or reg-
12 ulations enacted or promulgated since the initial
13 construction of a building related to fire, air, light,
14 noise, waste disposal, building height or other.

15 **SEC. 206. WAIVER.**

16 The Secretary may waive the 50 percent require-
17 ments described in sections 204 and 205 for any eligible
18 local educational agency that demonstrates to the satisfac-
19 tion of the Secretary a greater need for services described
20 in section 204 or 205.

21 **TITLE III—URBAN SCHOOL**
22 **RESEARCH**

23 **SEC. 301. AUTHORIZATION.**

24 There are authorized to be appropriated to the Na-
25 tional Institute for Urban Education such sums as may
26 be necessary for each of the fiscal years 1992, 1993, 1994,

1 1995, 1996, and 1997 to carry out the provisions of this
2 title.

3 **SEC. 302. ASSISTANT SECRETARY FOR URBAN EDUCATION.**

4 (a) AMENDMENT TO THE DEPARTMENT OF EDU-
5 CATION ORGANIZATION ACT.—Title II of the Department
6 of Education Organization Act (20 U.S.C. 3401 et seq.)
7 is amended—

8 (1) in section 202(b)(1) by—

9 (A) striking “and” at the end of subpara-
10 graph (F);

11 (B) striking the period at the end of sub-
12 paragraph (G) and inserting a semicolon and
13 “and”; and

14 (C) inserting at the end thereof the fol-
15 lowing new subparagraph:

16 “(H) an Assistant Secretary for Urban
17 Education.”; and

18 (2) inserting at the end thereof the following
19 new section:

20 **“SEC. 215. NATIONAL INSTITUTE FOR URBAN EDUCATION.**

21 “There shall be in the Department a National Insti-
22 tute for Urban Education, established in accordance with
23 title III of the Urban Schools of America (USA) Act of
24 1991.”.

1 (b) AMENDMENT TO TITLE V.—Section 5315 of title
 2 5, United States Code is amended by striking “Assist-
 3 ant Secretaries of Education (6)” and inserting “Assistant
 4 Secretaries of Education (7)”.

5 **SEC. 303. RESERVATION, ALLOTMENT, ALLOCATION.**

6 (a) RESERVATION FOR NATIONAL INSTITUTE OF
 7 URBAN EDUCATION.—From the amount appropriated or
 8 otherwise made available to carry out the provisions of this
 9 title in any fiscal year, the Assistant Secretary for Urban
 10 Education (hereafter in this title referred to as the “As-
 11 sistant Secretary”) shall reserve 20 percent of such funds
 12 for the operation of the National Institute for Urban Edu-
 13 cation (hereafter in this title referred to as the “Insti-
 14 tute”).

15 (b) ALLOTMENTS TO ELIGIBLE LOCAL EDU-
 16 CATIONAL AGENCIES.—From the remainder of sums not
 17 reserved under subsection (a), the Assistant Secretary
 18 shall make allotments to eligible local educational agencies
 19 in an amount which bears the same relation to such re-
 20 mainder as the number of students enrolled in the eligible
 21 local educational agency bears to the total number of stu-
 22 dents enrolled in all eligible local educational agencies.

23 **SEC. 304. NATIONAL INSTITUTE OF URBAN EDUCATION.**

24 (a) ESTABLISHMENT.—From amounts reserved
 25 under section 303(a), the Assistant Secretary shall estab-

lish an institute to be known as the National Institute of
Urban Education.

(b) FUNCTIONS.—The Institute shall—

(1) assist eligible local educational agencies
under this Act, or consortia of such agencies, in de-
veloping research and evaluation activities to assess
progress toward meeting the national education
goals;

(2) provide for the conduct of research which
will assist urban schools in enhancing learning,
teaching, and system management;

(3) provide training in research and evaluation
methods and techniques that meet the purposes of
this Act;

(4) evaluate and disseminate among eligible
local educational agencies results of activities con-
ducted pursuant to title I of this Act;

(5) design and coordinate, in consultation with
eligible local educational agency activities, a com-
prehensive and cohesive research and evaluation
strategy for assessing progress under this Act;

(6) serve as a clearinghouse on urban education
research and evaluation findings, policies, and prac-
tices;

1 (7) design, test, define, and promote common
2 indicators of progress toward the national education
3 goals; and

4 (8) design, develop, and test new multiple-meas-
5 ures of school progress toward the national edu-
6 cation goals.

7 (c) GOVERNANCE.—The Institute shall have a Gov-
8 erning Board.

9 (1) COMPOSITION AND APPOINTMENT.—

10 (A) COMPOSITION.—The Governing Board
11 shall consist of 22 members, selected from a
12 pool of candidates nominated by the super-
13 intendent and the president of the Board of
14 Education of the eligible local educational agen-
15 cies.

16 (B) APPOINTMENT.—The Majority Leader
17 of the House of Representatives and the Major-
18 ity Leader of the Senate shall each appoint six
19 members to the Governing Board from individ-
20 uals nominated pursuant to subparagraph (A).
21 The Minority Leader of the House of Rep-
22 resentatives and the Minority Leader of the
23 Senate shall each appoint 3 members to the
24 Governing Board from individuals nominated
25 pursuant to subparagraph (A). The Secretary

1 shall appoint 4 members to the Governing
2 Board from individuals nominated pursuant to
3 subparagraph (A).

4 (2) TERMS OF OFFICE.—

5 (A) IN GENERAL.—Members of the Gov-
6 erning Board shall be appointed for a period of
7 3 years.

8 (B) REAPPOINTMENT.—Members of the
9 Governing Board may be reappointed to the
10 Governing Board.

11 (3) DUTIES.—The Governing Board shall—

12 (A) establish the national research and
13 evaluation program for the Institute;

14 (B) review the programs and activities of
15 the Institute; and

16 (C) issue an annual report to the Congress
17 and the public on the progress of urban schools
18 in meeting the goals of this Act.

19 (4) LEADERSHIP.—The Assistant Secretary
20 shall be the primary individual responsible for the
21 daily operation of the Institute.

22 (5) STAFF.—Such personnel as the Institute
23 deems necessary may be appointed to carry out the
24 functions of the Institute.

25 (d) CONTRACTS AND GRANTS.—

1 (1) IN GENERAL.—The Institute may award
2 grants to or enter into contracts with eligible local
3 educational agencies, universities, research and de-
4 velopment centers, private corporations, or regional
5 educational laboratories to carry out the duties of
6 the Institute.

7 (2) COMPETITIVE AWARDS.—Grants and con-
8 tracts awarded under paragraph (1) shall be award-
9 ed on a competitive basis.

10 **SEC. 305. APPLICATION.**

11 (a) IN GENERAL.—Any eligible local educational
12 agency desiring to receive an allotment under section
13 303(b) shall—

14 (1) submit an application to the Assistant Sec-
15 retary;

16 (2) consult with the Department of Education,
17 local universities, research institutes, laboratories, or
18 centers for purposes of planning and implementing
19 a plan of research and technical assistance for the
20 eligible local educational agency and schools of the
21 local educational agency participating in programs
22 assisted under title I; and

23 (3) describe in the application a research and
24 technical assistance plan and how assistance pro-

1 vided under this title will be used to assess progress
2 on the national education goals.

3 (b) CONSORTIA.—Eligible local educational agencies
4 may pool their allotments under section 303(b), in whole
5 or in part, to design and conduct cooperative data collec-
6 tion, evaluation and information dissemination activities.

7 **SEC. 306. USES OF FUNDS.**

8 Funds allotted to eligible local educational agencies
9 under section 303(b) may be used for—

10 (1) collaborative and coordinated research and
11 evaluation of educational techniques or approaches
12 used in multiple eligible local educational agencies;

13 (2) evaluation of projects assisted under title I;

14 (3) collection and dissemination of information
15 on successful projects and approaches assisted under
16 title I;

17 (4) design and implementation of extension
18 service programs to allow an eligible local edu-
19 cational agency to provide technical assistance to in-
20 dividual schools and teachers involved in projects as-
21 sisted under title I;

22 (5) provision of data and information manage-
23 ment services to individual schools assisted under
24 title I;

1 (6) provision of staff training in schools as-
2 sisted under title I;

3 (7) evaluation of progress made by eligible local
4 educational agencies assisted under this Act in meet-
5 ing national education goals;

6 (8) provision of staff training in test interpreta-
7 tion and use for diagnostic purposes;

8 (9) provision of information to parents on test
9 results and test interpretation;

10 (10) provision of technology and training in its
11 research and evaluation uses;

12 (11) development of assessment tools of stu-
13 dents in individualized instruction;

14 (12) research on school policies and practices
15 which may be barriers to the success of students in
16 school; and

17 (13) development and testing of new multiple,
18 alternative assessments of student progress toward
19 the national education goals which are race and gen-
20 der bias-free and sensitive to limited-English pro-
21 ficient and disabled students.

TITLE IV—GENERAL PROVISIONS

SEC. 401. INTERAGENCY COUNCIL ON URBAN SCHOOLS.

(a) **ESTABLISHMENT.**—There is established the Interagency Council on Urban Schools (hereafter in this section referred to as the “Council”).

(b) **COMPOSITION.**—

(1) **IN GENERAL.**—The Council shall consist of—

(A) the Secretary of Education who shall serve as Chairperson of the Council;

(B) the Secretary of Labor;

(C) the Secretary of Health and Human Services;

(D) the Secretary of Agriculture;

(E) the Attorney General of the United States;

(F) the Secretary of Energy;

(G) the Director of the Environmental Protection Agency;

(H) the Director of the Commission on Civil Rights;

(I) the Chairperson of the Advisory Commission on Intergovernmental Relations;

1 (J) the Chairpersons of the National En-
2 dowments on the Arts and the Humanities;

3 (K) the Director of the National Science
4 Foundation;

5 (L) the Secretary of Housing and Urban
6 Development; and

7 (M) such other officers of the Federal Gov-
8 ernment as may be designated by the President
9 or the Chairperson of the Council to serve
10 wherever matters within the jurisdiction of the
11 agency headed by such an officer are to be con-
12 sidered by the Council.

13 (2) REPRESENTATION.—Each individual de-
14 scribed in paragraph (1) may designate a person to
15 represent such individual on the Council.

16 (3) DURATION.—Each member shall be ap-
17 pointed for as long as such member serves as the
18 head of the appropriate department or agency.

19 (4) PRINCIPAL ADVISOR.—The Chairperson of
20 the Council shall be the President's principal advisor
21 on urban schools.

22 (c) QUORUM.—Seven members of the Council shall
23 constitute a quorum for the purposes of transmitting rec-
24 ommendations and proposals to the President, but a lesser
25 number may meet for other reasons.

1 (d) MEETINGS.—The Council shall meet at least 2
2 times each year. When a Council member is unable to at-
3 tend a meeting, the Council member shall appoint an ap-
4 propriate Assistant Secretary or an equivalent individual
5 from the department or agency of the member to represent
6 the member for that meeting.

7 (e) DUTIES OF THE COUNCIL.—The Council shall—

8 (1) review programs and activities conducted by
9 each department or agency represented on the Coun-
10 cil to determine the effects of such programs and ac-
11 tivities on the ability of urban schools to meet na-
12 tional education goals;

13 (2) track progress of urban schools in meeting
14 national education goals;

15 (3) solicit information and advice from experts
16 in urban education and representatives of urban
17 schools on how the Federal Government could im-
18 prove the programs and activities of the Federal
19 Government which serve urban school students;

20 (4) review regulations across various depart-
21 ments or agencies of the Federal Government for
22 duplication or contradiction;

23 (5) issue an annual report to Congress and the
24 President on the progress urban schools are making
25 in meeting national education goals, and on how

1 Congress might change Federal programs to improve
2 the effectiveness of such programs in urban schools;

3 (6) review and make recommendations regard-
4 ing ways to improve or streamline various Federal
5 data collection activities in urban schools; and

6 (7) conduct such research as may be helpful to
7 urban school practitioners in improving the perform-
8 ance of students attending urban schools.

9 **SEC. 402. WHITE HOUSE CONFERENCE ON URBAN EDU-**
10 **CATION.**

11 (a) **AUTHORIZATION TO CALL CONFERENCE.—**

12 (1) **IN GENERAL.—**The President is authorized
13 to call and conduct a White House Conference on
14 Urban Education (hereafter referred to as the “Con-
15 ference”) which shall be held not earlier than
16 November 1, 1992, and not later than October 30,
17 1993.

18 (2) **PURPOSE.—**The purpose of the White
19 House Conference on Urban Education shall be to—

20 (A) develop recommendations and strate-
21 gies for the improvement of urban education;

22 (B) marshal the forces of the private sec-
23 tor, governmental agencies at all levels, parents,
24 teachers, communities, and education officials

1 to assist urban schools in achieving national
2 education goals; and

3 (C) conduct the initial planning for a per-
4 manent national advisory commission on urban
5 education.

6 (b) COMPOSITION OF CONFERENCE.—

7 (1) IN GENERAL.—The Conference shall be
8 composed of—

9 (A) representatives of urban public school
10 systems, including board of education members
11 and school superintendents;

12 (B) representatives of the Congress, the
13 Department of Education and other Federal
14 agencies;

15 (C) State elected officials and rep-
16 resentatives from State educational agencies;
17 and

18 (D) individuals with special knowledge of
19 and expertise in urban education.

20 (2) SELECTION.—The President shall select
21 one-third of the participants of the Conference, the
22 Speaker of the House of Representatives shall select
23 one-third of such participants, and the President pro
24 tempore of the Senate shall select the remaining
25 one-third of such participants.

1 (3) REPRESENTATION.—In selecting the par-
2 ticipants of the Conference the President, the Speak-
3 er of the House of Representatives, and the Presi-
4 dent pro tempore of the Senate shall ensure that the
5 participants are as representative of the ethnic, ra-
6 cial, and language diversity of cities as is prac-
7 ticable.

8 (c) REPORTS.—

9 (1) IN GENERAL.—A final report of the Con-
10 ference, containing such findings and rec-
11 ommendations as may be made by the Conference,
12 shall be submitted to the President not later than
13 120 days following the termination of the Con-
14 ference. The final report shall be made public and,
15 within 90 days after receipt by the President, trans-
16 mitted to the Congress together with a statement of
17 the President containing recommendations for imple-
18 menting the report.

19 (2) PUBLICATION AND DISTRIBUTION.—The
20 Conference is authorized to publish and distribute
21 the report described in this section. Copies of the re-
22 port shall be provided to the Federal depository li-
23 braries and made available to local urban school
24 leaders.

25 (d) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) IN GENERAL.—There are authorized to be
2 appropriated for fiscal year 1993 such sums as may
3 be necessary to carry out the provisions of this sec-
4 tion.

5 (2) AVAILABILITY.—Amounts made available
6 pursuant to the authority of paragraph (1) shall re-
7 main available until expended.

8 **SEC. 403. AUGUSTUS F. HAWKINS NATIONAL COMMISSION**
9 **ON URBAN EDUCATION.**

10 (a) ESTABLISHMENT.—There is established a Na-
11 tional Commission on Urban Education (referred to here-
12 after as the “Commission”).

13 (b) MEMBERSHIP.—

14 (1) IN GENERAL.—The Commission shall be
15 composed of 12 members. Four of the members shall
16 be appointed by the President. Four of the members
17 shall be appointed by the Speaker of the House, in-
18 cluding two Members of the House, of which 1 shall
19 be from each political party. Four of the members
20 shall be appointed by the President pro tempore of
21 the Senate, including 2 members of the Senate, of
22 which 1 shall be from each political party.

23 (2) CHAIRPERSON.—The Chairperson of the
24 Commission shall be elected by the members of the

1 Commission and shall continue to serve for the dura-
2 tion of the Commission.

3 (3) VACANCIES.—Any vacancy in the Commis-
4 sion shall be filled in the same manner as the origi-
5 nal appointment.

6 (c) STUDY.—The Commission shall make a study of
7 the following issues:

8 (1) DEMOGRAPHIC CHANGES.—Demographic
9 changes in student enrollment and classroom teach-
10 ers in the 10-year period prior to the date of enact-
11 ment of this Act.

12 (2) SPECIAL NEEDS.—Numbers and types of
13 special needs of students in urban schools.

14 (3) UNSERVED OR UNDERSERVED STUDENTS.—
15 Number of unserved or underserved students in
16 urban schools eligible for assistance under the Head
17 Start Act, chapter 1 of title I of the Elementary and
18 Secondary Education Act of 1965, School Dropout
19 Demonstration Assistance Act of 1988, Drug Free
20 Schools and Communities Act of 1986, Carl D. Per-
21 kins Vocational and Applied Technology Education
22 Act, Education of the Handicapped Act and other
23 Federal programs.

24 (4) STUDENT PERFORMANCE.—Program and
25 management efforts in urban schools designed to en-

1 hance student performance, and reasons for the ef-
2 fectiveness of such efforts.

3 (5) FINANCIAL SUPPORT.—Financial support
4 and funding needs of urban schools from local,
5 State, and Federal sources.

6 (6) COLLABORATIVE EFFORTS.—Collaborative
7 efforts and programs between urban schools, the pri-
8 vate sector, and community groups.

9 (7) SUPPLY NEEDS.—Supply needs for teachers
10 in urban schools in the 10-year period beginning on
11 the date of enactment of this Act.

12 (d) REPORTS.—

13 (1) IN GENERAL.—The Commission shall pre-
14 pare and submit a report and recommendations to
15 the President and to the appropriate committees of
16 the Congress on the findings of the study required
17 by this section. The report shall be submitted as
18 soon as practicable.

19 (2) PROPOSAL FOR CHANGES IN FEDERAL
20 LEGISLATION.—The report submitted under this sec-
21 tion shall include proposals for changes in Federal
22 legislation.

23 (e) STAFF.—Such personnel as the Commission
24 deems necessary may be appointed by the Commission
25 without regard to the provisions of title 5, United States

1 Code, governing appointments in the competitive service,
2 and may be paid without regard to the provisions of chap-
3 ter 51 and subtitle III of chapter 53 of such title relating
4 to classification and General Schedule pay rates, but no
5 individual so appointed shall be paid in excess of the rate
6 authorized for level III of the Executive Schedule.

7 (f) COMPENSATION.—

8 (1) IN GENERAL.—Members of the Commission
9 who are officers or full-time employees of the United
10 States shall serve without compensation in addition
11 to that received for their services as officers or em-
12 ployees of the United States. Such members may be
13 allowed travel expenses and per diem in lieu of sub-
14 sistence, as authorized by section 5703 of title 5,
15 United States Code.

16 (2) SPECIAL RULE.—Members of the Commis-
17 sion who are not officers or full-time employees of
18 the United States may receive such per diem and
19 travel allowance as is provided by the United States
20 Code for persons in the Government service em-
21 ployed intermittently.

22 (g) ADMINISTRATION.—

23 (1) IN GENERAL.—The Commission or, on the
24 authorization of the Commission, any committee
25 thereof, may, for the purpose of carrying out the

1 provisions of this section, hold such hearings and sit
2 and act at such times and such places within the
3 United States as the Commission or such committee
4 may deem advisable.

5 (2) CONSULTATION.—In carrying out its duties
6 under this section, the Commission shall consult
7 with other Federal agencies, representatives of State
8 and local governments, and private organizations to
9 the extent feasible.

10 (3) INFORMATION.—The Commission is author-
11 ized to secure directly from any executive depart-
12 ment, bureau, agency, board, commission, office,
13 independent establishment, or instrumentality, infor-
14 mation, suggestions, estimates, and statistics for the
15 purpose of this section, and each such department,
16 bureau, agency, board, commission, office, establish-
17 ment, or instrumentality is authorized and directed,
18 to the extent permitted by law, to furnish such infor-
19 mation, suggestions, estimates, and statistics di-
20 rectly to the Commission, upon request by the Chair.

21 (4) CONTRACTS.—The Commission is author-
22 ized to enter into contracts to secure the necessary
23 data and information to conduct its work and to ob-
24 tain the services of experts and consultants.

1 (5) COOPERATION.—The heads of all Federal
2 agencies are, to the extent practicable, directed to
3 cooperate with the Commission in carrying out this
4 section.

5 (6) SPECIAL RULE.—The Commission is au-
6 thorized to utilize, with the consent of such agencies,
7 the services, personnel, information, and facilities of
8 other Federal, State, local, and private agencies with
9 or without reimbursement.

10 (h) TERMINATION.—The Commission shall terminate
11 3 years after the date of its first meeting.

12 (i) AUTHORIZATION OF APPROPRIATIONS.—

13 (1) IN GENERAL.—There are authorized to be
14 appropriated for fiscal year 1993 such sums as may
15 be necessary to carry out the provisions of this sec-
16 tion.

17 (2) AVAILABILITY.—Amounts appropriated pur-
18 suant to the authority of paragraph (1) shall remain
19 available until expended or until the termination of
20 the Commission, whichever occurs first.

21 **SEC. 404. FEDERAL FUNDS TO SUPPLEMENT NOT SUP-**
22 **PLANT NON-FEDERAL FUNDS.**

23 An eligible local educational agency may use funds
24 received under this Act only so as to supplement and, to
25 the extent practicable, increase the level of funds that

1 would, in the absence of such Federal funds, be made
2 available from non-Federal sources for the education of
3 students participating in activities assisted under this Act
4 and in no case may such funds be used to supplant such
5 funds from such non-Federal sources.

6 **SEC. 405. DEFINITIONS.**

7 Except as otherwise provided, for the purposes of this
8 Act—

9 (1) the term “central city” has the same mean-
10 ing as that used by the United States Census Bu-
11 reau;

12 (2) the term “community-based organization”
13 means a private nonprofit organization which is rep-
14 resentative of a community or significant segments
15 of a community and which has a proven record of
16 providing effective educational or related services to
17 individuals in the community;

18 (3) the term “eligible local educational agency”
19 means a local educational agency which—

20 (i) serves the largest central city in a
21 State; or

22 (ii) enrolls 30,000 or more students and
23 serves a central city with a population of at
24 least 200,000 in a metropolitan statistical area;

1 (4) the term “institution of higher education”
2 has the meaning given to such term in section
3 1201(a) of the Higher Education Act of 1965;

4 (5) the term “local educational agency” has the
5 meaning given to such term in section 1421(12) of
6 the Elementary and Secondary Education Act of
7 1965;

8 (6) the term “metropolitan statistical area” has
9 the same meaning as that used by the United States
10 Census Bureau;

11 (7) the term “poverty level” means the criteria
12 of poverty used by the Bureau of the Census in com-
13 piling the most recent decennial census for a family
14 of 4 in such form as those criteria have been up-
15 dated by increases in the Consumer Price Index for
16 All Urban Consumers;

17 (8) the term “Secretary” means the Secretary
18 of Education;

19 (9) the term “State” means each of the several
20 States and the District of Columbia, but does not in-
21 clude Guam, American Samoa, the Commonwealth
22 of Puerto Rico, the United States Virgin Islands, the
23 Commonwealth of the Northern Mariana Islands,
24 the Republic of the Marshall Islands, the Federated
25 States of Micronesia, and Palau; and

1 (10) the term "State educational agency" has
2 the meaning given to such term in section 1471(23)
3 of the Elementary and Secondary Education Act of
4 1965.

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